

## **REPORT OF THE TAX DELINQUENCY SUBCOMMITTEE**

**October 14, 2008**  
**(Recessed and Reconvened on October 15, 2008)**

The Honorable,  
The Board of Commissioners of Cook County

### **ATTENDANCE**

Present: Chairman Sims, Commissioners Beavers and Butler (3)

Absent: Vice Chairman Goslin, Commissioners Moreno, Murphy and Peraica (4)

Also Present: Stephanie Milito – Planner, Department of Planning and Economic Development; Randolph Johnston – Assistant State's Attorney; Ken Pilota, Esq. – Law Offices of Ken Pilota; Janice Morrissey – Director, Community/Economic Development, Village of Riverdale; Adrian P. Zeno, Esq. – Zeno Law Office, P.C.

Ladies and Gentlemen:

Your Tax Delinquency Subcommittee of the Board of Commissioners of Cook County met pursuant to notice on Tuesday, October 14, 2008 at the hour of 10:00 A.M. in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Upon determining that there was not a quorum present, Chairman Sims took testimony on the items and then recessed the meeting to the hour of 9:45 a.m. on October 15, 2008 in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

**October 15, 2008**

### **ATTENDANCE**

Present: Chairman Sims, Vice Chairman Goslin, Commissioners Beavers, Butler, Murphy, Peraica (6)

Absent: Commissioner Moreno (1)

Tax Delinquency Subcommittee of the Board of Commissioners of Cook County reconvened its recessed meeting at the hour of 9:45 a.m. on Wednesday, October 15, 2008, in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Chairman Sims directed the Secretary to the Board to call roll, at which time it was determined that a quorum was present.

Your Subcommittee has considered the following items and, upon adoption of this report, the recommendations are as follows:

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295882 VILLAGE OF DIXMOOR (NO CASH BID REQUEST). Transmitting a Communication from Deborah Sims, Chairman, Tax Delinquency Subcommittee, submitting a request from Keevan Grimmett, Village President, Village of Dixmoor.

Re: No Cash Bid Request Package for the Village of Northlake Dixmoor.

1. The Village of Dixmoor, Illinois (hereinafter referred to as "the municipality") is interested in receiving a No Cash Bid for the listed Parcels:

<u>VOLUME</u>	<u>PROPERTY INDEX NUMBER</u>
197	29-07-108-001-0000
197	29-07-108-002-0000
197	29-07-108-003-0000
197	29-07-108-004-0000

2. This Request Package contains 4 Property Index Numbers (PINs).
3. The following PINs are currently vacant lots with no improvements situated thereon, and after development, will be used as a commercial day care center providing the benefit of property taxes to the Village of Dixmoor as well as encourage residential and commercial development in the municipality: 29-07-108-001-0000, 29-07-108-002-0000, 29-07-108-003-0000, 29-07-108-004-0000.
4. The municipality will file for tax exempt status upon acquiring a perfected deed to the subject parcels and will maintain the status until a developer acquires title and ownership of the subject parcels.
5. A Third Party Request has been made by Dr. Jalal Jato for the development of a Day Care Center on the following PINs: 29-07-108-001-0000, 29-07-108-002-0000, 29-07-108-003-0000, 29-07-108-004-0000.
6. The municipality will retain Adrian P. Zeno, Esq. as legal counsel to obtain the tax deed and the municipality will bear all legal and other costs associated with acquisition of the parcels.
7. The municipality agrees to submit, to the Cook County Office of Economic Development, No Cash Bid Reports on the status of each parcel for five years or until development is complete, whichever occurs last, as required by the Cook County No Cash Bid Ordinance.

\*Referred to the Committee on Tax Delinquency Subcommittee on 09-03-08.

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**Commissioner Butler, seconded by Commissioner Murphy, moved the approval of Communication Number 295882 as amended. The motion carried.**

Adrian P. Zeno, Esq., Zeno Law Office, P.C., stated that the four pins are being requested specifically for the construction of a parking lot to be used for a day care facility (not for the construction of a day care facility itself).

Stephanie Milito, Planner, Department of Planning and Economic Development, stated that this is correct, and that this information is in the Department's recommendation letter.

295883        VILLAGE OF DIXMOOR (NO CASH BID REQUEST). Transmitting a Communication from Deborah Sims, Chairman, Tax Delinquency Subcommittee, submitting a request from Keevan Grimmett, Village President, Village of Dixmoor.

Re: No Cash Bid Request Package for the Village of Northlake Dixmoor.

1. The Village of Dixmoor, Illinois (hereinafter referred to as "the municipality") is interested in receiving a No Cash Bid for the listed Parcels:

<u>VOLUME</u>	<u>PROPERTY INDEX NUMBER</u>
198	29-07-210-016-0000
198	29-07-210-017-0000
198	29-07-210-018-0000
198	29-07-210-019-0000
198	29-07-210-020-0000
198	29-07-210-021-0000
198	29-07-210-022-0000
198	29-07-210-023-0000
198	29-07-210-024-0000

2. This Request Package contains 9 Property Index Numbers (PIN).
3. The following PINs are currently vacant lots with no improvements situated thereon. The intended use is to provide residential development or construction of a public library and will provide the benefit of more tax revenue to the Village of Dixmoor or having a public facility for its citizens: 29-07-210-016-0000, 29-07-210-017-0000, 29-07-210-018-0000, 29-07-210-019-0000, 29-07-210-020-0000, 29-07-210-021-0000, 29-07-210-022-0000, 29-07-210-023-0000, 29-07-210-024-0000.
4. The municipality will file for tax exempt status upon acquiring a perfected deed to the subject parcels and will maintain the status until a developer acquires title and ownership of the subject parcels.

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5. No Third Party Request has been made on the following PINs: 29-07-210-016-0000, 29-07-210-017-0000, 29-07-210-018-0000, 29-07-210-019-0000, 29-07-210-020-0000, 29-07-210-021-0000, 29-07-210-022-0000, 29-07-210-023-0000, 29-07-210-024-0000.
6. The municipality will retain Adrian P. Zeno, Esq. as legal counsel to obtain the tax deed and the municipality will bear all legal and other costs associated with acquisition of the parcels.
7. The municipality agrees to submit, to the Cook County Office of Economic Development, No Cash Bid Reports on the status of each parcel for five years or until development is complete, whichever occurs last, as required by the Cook County No Cash Bid Ordinance.

**\*Referred to the Committee on Tax Delinquency Subcommittee on 09-03-08.**

**Commissioner Butler, seconded by Commissioner Murphy, moved the approval of Communication Number 295883 as amended. The motion carried.**

295884 VILLAGE OF RIVERDALE (NO CASH BID REQUEST). Transmitting a Communication from Deborah Sims, Chairman, Tax Delinquency Subcommittee, submitting a request from Zenovia G. Evans, Village President, Village of Riverdale.

Re: No Cash Bid Request Package for the Village of Riverdale.

The purpose of this letter is to inform you of the Village of Riverdale's desire to participate in the Cook County No-Cash Bid program. The Village is interested in acquiring certain properties located within Riverdale that are delinquent in real estate taxes or special assessments for two or more years, pursuant to 35 ILCS 200/21-90.

Please accept this request to obtain the following three (3) properties.

<u>VOLUME</u>	<u>PROPERTY INDEX NUMBER</u>
195	29-04-108-019-0000
195	29-04-108-023-0000
195	29-04-108-028-0000

Parcel 29-04-108-019-0000 is a vacant industrial building. Parcel 29-04-108-023-0000 is a commercial building that is occupied by a business operating as C & R Excavating. Parcel 29-04-108-028-0000 is a vacant commercial building. The Village has submitted Affidavits of Abandonment with respect to both vacant properties.

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The Village intends to use each of these three buildings for industrial and commercial development. They are not part of our 138th Street Corridor Plan; however, they are adjacent to the southern border of the Plan area and have similar characteristics as those properties in the Plan area. The Village intends to develop the properties in the same spirit as the 138th Street Corridor Plan in order to expand tax revenues. Currently, there is no third-party-applicant for any of the parcels.

The Village agrees to report the status of each parcel to the Cook County Department of Economic Development annually for five consecutive years or until the intended use is complete, whichever is last. Also, the Village will apply for tax exempt status on each parcel once a tax deed is obtained until a developer is designated.

The Village has retained the Law Offices of Kenneth W. Pilota and shall bear all costs to proceed to tax deed and perform all legal and other activities associated with this program.

**\*Referred to the Committee on Tax Delinquency Subcommittee on 09-03-08.**

Ken Pilota, Esq., Law Offices of Ken Pilota, stated that, with regard to these three parcels, the Village of Riverdale has not yet identified a third party, but would like to acquire these parcels and prepare them for future commercial and industrial redevelopment.

Ms. Malito stated that it is very difficult at present to determine the occupancy of these parcels. She stated that she did see some trucks which look new at the location; the village stated in its package that it an excavating company is occupying the property.

Janice Morrissey, Director, Community/Economic Development, Village of Riverdale, stated that the property is occupied by an excavating company; there may be materials dumped on site, possibly environmental hazards, and the property shows sign of deterioration. The last time she checked they did not have a business license. It is her understanding that the owner died.

Chairman Sims stated that it needs to be determined whether the property is occupied. If someone owns it, it is Cook County's policy that they are afforded the opportunity to pay back taxes.

Randolph Johnston, Assistant State's Attorney, stated that there may be a lease or rental agreement between a business that may be there and the owner. He advised that it would be the safest course to defer this item until it is determined whether this is a leasing situation.

**Commissioner Butler, seconded by Commissioner Murphy, moved the approval of Communication Number 295884. The motion carried.**

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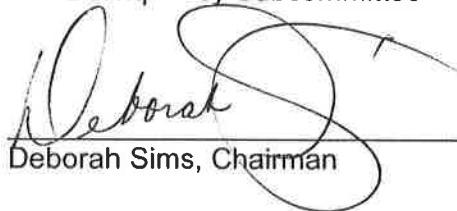
Chairman Sims entered into the record a letter from Elizabeth Reidy, Assistant State's Attorney, Deputy Bureau Chief, Civil Actions Bureau, Cook County State's Attorney's Office, dated 10-15-08, and a letter from Janice L. Morrissy, Director, Community and Economic Development, Village of Riverdale, dated 10-15-08.

Commissioner Butler moved to adjourn the meeting, seconded by Vice Chairman Goslin. The motion carried and the meeting was adjourned.

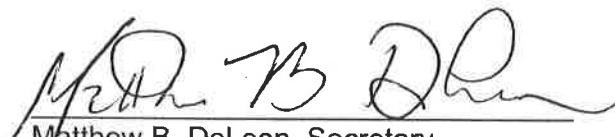
**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION  
WITH REGARD TO THE MATTERS NAMED HEREIN:**

Communication Number 295882	Approved as Amended
Communication Number 295883	Approved as Amended
Communication Number 295884	Approved

Respectfully submitted,  
Tax Delinquency Subcommittee

  
Deborah Sims, Chairman

Attest:

  
Matthew B. DeLeon, Secretary

The audio recording for this meeting is available from the Office of the Secretary to the Board, 118 North Clark Street, Room 567, Chicago, IL 60602.

October 15, 2008

CONFIDENTIAL/ATTORNEY CLIENT PRIVILEGE

Honorable Deborah Sims  
Cook County Commissioner, 5<sup>th</sup> District

Re: Tax Delinquency Committee Meeting October 14, 2008

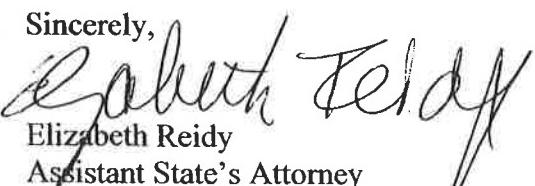
Dear Commissioner Sims:

You have asked this Office about the status of the Tax Delinquency Committee meeting that was called to order at 10:00 a.m. on October 14, 2008. The Committee did not have a quorum, and was recessed and reconvened to October 15, 2008.

Pursuant to the Rules of Organization and Procedure of the Cook County Board of Commissioners (the "Board Rules"), the rules of procedure for committee meetings shall be the same as for the Board (except for the quorum size requirements). Board Rules, Section 2-108(aa). The lack of a quorum at any Board meeting shall cause the meeting to stand adjourned from day to day, to the same hour of the day, until a quorum is present. Board Rules Section 2-108(f)(1). Thus, the lack of a quorum at the October 14<sup>th</sup> Tax Delinquency Committee meeting caused the meeting to stand adjourned from day to day, at the same hour (10:00 a.m.) until such time as a quorum of the Committee is present.

Moreover, it is our understanding that you, as Chair of the Tax Delinquency Committee, specifically recessed the October 14<sup>th</sup> Meeting until 9:45 a.m. on October 15<sup>th</sup>. If this is accurate, this recess to a time certain, which is more specific than an adjournment from day to day, would control. Either way, the Tax Delinquency Committee is properly noticed for a meeting on the morning of October 15, 2008.

Sincerely,



Elizabeth Reidy  
Assistant State's Attorney  
Deputy Bureau Chief  
Civil Actions Bureau  
Cook County State's Attorney



VIA FAX

## Village of Riverdale

157 West 144th Street • Riverdale, IL 60827-2707

(708) 841-2200 • Fax (708) 841-7587

Zenovia G. Evans  
Village PresidentArlette S. Frye  
Village AdministratorJoyce E. Forbes  
Village Clerk

### Trustees

Deyon L. Dean  
Cheryl A. Foy  
Louis Peyton  
Jerome Russell  
Dennis Sanders  
Deborah Smiley

October 15, 2008

Honorable Deborah Sims  
Cook County Commissioner  
Chairman, Tax Delinquency Sub-Committee  
118 North Clark, Room 567  
Chicago, IL 60602

Dear Commissioner Sims:

The Village of Riverdale sincerely appreciates the County's assistance, support and partnership in our economic development efforts. The Board has assisted us in numerous ways, including participation in the County's No-Cash Bid Program.

As you will recall, at yesterday's Tax Delinquency Sub-Committee meeting the Village brought forth three PINS for participation in the No-Cash Bid Program. It was agreed that PINS 29-04-108-019-0000 and 29-04-108-028-0000 would be brought forward at today's Board meeting. The Village is requesting that PIN 29-04-108-023-0000 also be brought forward for consideration as well so that our economic development work is not delayed.

When it appeared that the property might be occupied, the Commissioners at the Tax Delinquency Sub-Committee mentioned yesterday that the County wants to give the owners of properties that are occupied a chance to pay the taxes. It is my understanding that this system is already in place. I thought that the County mails a notice to the tax assessee at least 30 days prior to the County making the tax buy. Also, I thought that the entire tax deed procedure is loaded with notice serving requirements once the tax buy is made, and that there will be no less than another four (4) notices that either the owner and/or tax assessee receives before a deed can be issued.

Another important point to the Village is that there are at least 20 years of open taxes on this property. C&R Excavating is not contributing to the Village's tax base, employing a recognizable

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amount of people, or offering a service that is beneficial to the Village or our residents. The County is reaping no benefit either. C&R Excavating is just using the property as a dump site for potentially hazardous materials. The best thing that can happen is that the Village takes over the property and start redeveloping it to benefit the County, Village and our residents.

You may also be interested in knowing that our Public Works facility is located in the same vicinity as this property, and they have not seen any activity at the property in approximately one and half months. Based on our knowledge, the property is not being leased.

To reiterate, the Village is requesting that PIN 29-04-108-023-0000 also be brought forward for consideration at today County Board meeting so that our economic development work is not delayed. Please be assured that the Village will work with the County to secure additional information about occupancy status of the property while the County works through the initial steps of purchasing this property through the No Cash Bid Program.

Thank you for your consideration of this matter. Should you have any questions, please call me at 708-932-6360.

Sincerely,



Janice L. Morrissy, Director  
Community & Economic Development